

**WASHINGTON BOROUGH LAND USE BOARD  
MINUTES OF REGULAR MEETING HELD ON  
JULY 8, 2019**

The regular meeting of the Washington Borough Land Use Board was called to order by Chairman Turner at 7:30 P.M. in the second floor Court Room/Council Chambers of the Borough Hall. Chairman Turner read the following statement into the record: "The requirements of the "Open Public Meetings Law", P.L. 1975, Chapter 231, have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of the Borough Hall stating the time, place and purpose of the meeting as required by law." Chairman Turner led the Board in the Pledge of Allegiance.

**ROLL CALL:**

Present:	Valle, P. Post, Aron, Higgins, VanDeursen, C. Post, Frascella, Fox, Turner
Absent:	none
Also Present:	Steven Gruenberg, Attorney Stan Schrek, Engineer Elena Gable, Planner

**APPROVAL OF MINUTES:**

Regular Meeting of June 10, 2019 – No comments. Therefore, it was moved by Higgins, seconded by Valle to approve the minutes as presented.

**ROLL CALL:** Valle, P. Post, Aron, Higgins, VanDeursen,  
C. Post, Frascella, Fox, Turner  
Ayes: 9; Nays: 0; Abstentions: 0  
Motion carried.

**RESOLUTION:**

A&B Properties – tabled to next month

**APPLICATIONS:**

Washington Station Venture LP/Washington Venture Investment LTD- Public Hearing:  
Danielle Kimback represented the applicant. The applicant is proposing to consolidate Block 97 Lots 1,2,3,4, and Block 97.01 Lot1. Mr. Schreck's review letter was discussed. The requested waivers are for completeness only and are due to the settlement agreement. There is no development being proposed. Therefore, it was moved by VanDeursen seconded by P. Post to deem the application complete with waivers for completeness only and to schedule the public hearing for 8/12/19.

**ROLL CALL:** Valle, P. Post, Aron, Higgins, VanDeursen,  
C. Post, Frascella, Fox, Turner  
Ayes: 9; Nays: 0; Abstentions: 0  
Motion carried.

Taco Bell – Public Hearing continued:

Larry Cohen represented the applicant. Revised plans were prepared. Report from Planner dated 7/8/19 was received. Mr. Pellizzoni came forward.

Exhibit A-9: revised plan – 21' to 26' buffer at parking lot, moved dumpster location to delivery location behind the building. The 29 parking spaces remain the same. The Borough requested 7 spaces be kept for resident permit parking overnight per agreement. One other change made was making Washington Avenue ingress a one-way.

Lighting plan – ½ ft candle around site and 1ft candle on site. LED type light/15 ft height to consist of 9 singles and 1 double on timers.

Landscaping – perimeter shrubs except easterly side will evergreens. There will be a retaining wall along So. Lincoln with a 4 ft fence to block headlights. Will add a small opening for pedestrians.

Stormwater – They are adding more pervious areas that will reduce runoff. Runoff will flow to the south out to So. Lincoln. An email was received dated 7/8/19 from the fire chief stating the department has no issues with the plan.

Public questions for Mr. Pellizoni:

Robin Klimko, 33 West Marble St, came forward. She voiced her concerns about the egress onto So. Lincoln and the Warren County shuttle bus stop on Washington Ave. The height of the fence on the south side of the parking lots was questioned.

Ken Chambers, 64 Grand Ave., came forward. Asked if the plans could be put on line. Plans are too large. A rendering of the building was handed out.

Motion to continue the hearing at a special meeting on July 22, 2019. All in favor.

8:47 pm break

8:55 pm – reconvene

10 Brass Castle Road – public hearing continued

George Dilts represented the applicant. Plans were revised and review letters from the Planner and Engineer were received. Mayor Higgins and Council Woman Valle stepped down.

Ted Bayer, engineer, discussed the revised plan.

Exhibit A-9 – revised plan. Changes are: removed recreation area away from residents – now 105 ft., 2<sup>nd</sup> area for smoking on opposite side of the building and 300 ft from property line, stockade fence at 120 ft long/6 ft high, stormwater-rainwater harvesting plant.

The gazebo will be a maximum of 15 ft high. 40 parking spaces will be restriped at 10 ft wide except handicap. Curbing is proposed along kitchen area.

Exhibit D-1 – engineer review dated 7/5

Exhibit D-2 – planner review dated 7/8

Public questions for Mr. Bayer:

Ron Pearce, Christine Place, came forward. Asked if there will be a geological study after the building is done. He was answered that the study will be done by the architect. Asked if there was sufficient water and sewer capacity. He was answered that yes there was.

Sahara Mena, Christine Place, came forward. She asked if the water line was through her property. She was answered that the utilities were marked out and the water comes from Brass Castle Road. She asked about the sewer line. Mr. Bayer stated that he will look into it to make sure there is no affect to her. She asked if property values decreased in areas where this type of facility is located. Mr. Bayer stated he did not know.

Ron Pearce asked about the lighting. Mr. Bayer replied that they will comply with the ordinance.

Louis Mena, Christine Place, came forward. He asked about the water line. Mr. Bayer stated that it was marked by the utility company. Mr. Mena asked about the sewer line. Mr. Bayer stated that there is an easement through Lot 10 but will get more information from the MUA.

James Kyle, Planner, was sworn in and accepted as an expert witness.

Exhibit A-10 – Aerial Photo. The property is located in the B1-highway business zone. They will need a D-1 use variance and bulk variances for parking. Positive criteria include a beneficial use to the public welfare as this is the only facility in Warren county. Feels the site is suited for this use and should not have any detriment to the public.

Parking variance – Current 40 spaces are adequate based on activity at the site and the number of employees.

Waivers –

Landscape – proposed plan achieves the required buffer

Curb – will prevent proper run-off if curbs are put in

Parking stall size – feels the current size is adequate.

Public questions for Mr. Kyle.

Ron Pearce, Christine Place – Asked about the noise. They will follow DEP standards which is measured at the property line.

Mr. Mena came forward. He would like the fencing continued along his property line. The application is only proposing 120 ft.

The public hearing will be continued at the special meeting on 7/22/19 at 7 pm.

9:57 break

10:05 reconvene

CVS – public hearing:

Steve Schepis represented the applicant. The applicant is proposing a pharmacy which is not an allowed use in the current zone. Attorney Gruenberg stated that the Board has jurisdiction to proceed.

Katharine Karkus, Managing Manager of the LLC, was sworn in.

Exhibit A-1 – site plan

Ms. Karkus described the plan, the history of the properties and the reason this site was selected. The old CVS will close. The building was designed in keeping with the redevelopment plan. Mr. Schreck asked if anything written was received from the DOT. Ms. Karkus stated not yet.

Mr. James Chenard, remediation specialist, was sworn in. He discussed the remediation efforts on site. He stated that going forward 11 wells will be tested over time. There will be minimal activity when testing is done. No questions for Mr. Chenard.

Exhibit A-2 – updated rendering of the building

Robert Gehr, architect, was sworn in and accepted as an expert witness. Mr. Gehr described the rendering. The features are in keeping with the redevelopment plan and will use goose-neck lights. No signs on Jackson Avenue side. The tower will not exceed 25 ft and is just a feature. Six signs are proposed with only 3 major signs.

Exhibit A-3 – 4 sides rendering

Exhibit A-4 – floor plan – out line of the plan. No basement.

Questions for Mr. Gehr.

Bob Oakley came forward. He asked about the exterior lighting. Mr. Gehr stated that there will be 2 on either side of the main entrance and around the building. They will be shining down. There will also be lighting in the drive-thru canopy. No further questions.

The public hearing will be continued to 8/12/19 at 7:30 pm with no further notice.

**NEW BUSINESS: None**

**OLD BUSINESS: None**

**REPORTS OF OFFICERS AND COMMITTEES: None**

**UNAGENDIZED STATEMENTS: None**

**COMMUNICATIONS: None**

**ADJOURNMENT:**

The meeting was adjourned at 11:09 p.m. All in favor.

Respectfully submitted by Patricia L. Titus, Land Use Board Clerk